

Docket No.
FC-11-PUS

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which

(check one)

is attached hereto.

was filed on 11 July 2003 as United States Application No. or PCT International

Application Number PCT/US2003/021706

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/319,402</u> (Application Serial No.)	<u>17 July 2002</u> (Filing Date)
<u>60/426,601</u> (Application Serial No.)	<u>15 November 2002</u> (Filing Date)
<hr/>	
<hr/> (Application Serial No.)	<hr/> (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>PCT US2003/021706</u> (Application Serial No.)	<u>11 July 2003</u> (Filing Date)	 (Status) (patented, pending, abandoned)
<hr/> (Application Serial No.)	<hr/> (Filing Date)	 (Status) (patented, pending, abandoned)
<hr/> (Application Serial No.)	<hr/> (Filing Date)	 (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

3 Carol Talkington Verser, Ph.D. 37,459
Theresa A. Brown, Esq. 32,547
Richard J. Stern, Ph.D. 50,668

Send Correspondence to: Heska Corporation
Intellectual Property Dept.
1613 Prospect Parkway
Fort Collins, CO 80525

Direct Telephone Calls to: (*name and telephone number*)
Theresa A. Brown, Esq., 970-493-7272, ext. 4154

Full name of sole or first inventor Kevin S. Brandt	
Sole or first inventor's signature	Date
Residence Fort Collins, Colorado	
Citizenship United States of America	
Post Office Address 7114 Woodrow Drive	
Fort Collins, CO 80525	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Box No. VIII (iv) **DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)
 The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII (i) to (v) (in general and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/ (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: U.S. Provisional Application No. 60/319,402, filed 17 July 2002
 U.S. Provisional Application No. 60/426,601, filed 15 November 2002

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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 Name: BRANDT, Kevin S.

Residence: Fort Collins, Colorado *CO*
 (city and either US state, if applicable, or country)

Mailing Address: 7114 Woodrow Drive
Fort Collins, CO 80525

Citizenship: United States of America

Inventor's Signature: Kevin S. Brandt
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 7/16/03
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:
 (city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".